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Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

on 4/1/04

TOWNSEND and TOWNSEND and CREW LLP

By: Tiffeny Wu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1 0 2004

In re application of:

MUHAMMAD CHISHTI et al.

Application No.: 10/799,432

Filed: March 12, 2004

For: SYSTEM AND METHOD FOR RELEASING TOOTH POSITIONING

**APPLIANCES** 

Examiner: Unassigned

Art Unit: Unassigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37

CFR §1.97 and §1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Electronic copies of the references are enclosed on 1 CD-ROM disk.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no



Page 2

representation is being made that a search has been conducted or that this statement encompasses

all the possible relevant information.

The references cited in the accompanying PTO/SB/08A and PTO/SB/08B, were

indentified by either or both parties in litigation between Align Technology, Inc., assignee of the

above-referenced patent application, and Ormco Corporation in case no. SACV 03-16-GLT

(ANX) before the U.S. District Court, Central District of California, Southern Division, as being

potentially relevant to the design, fabrication, and/or use of removable orthodontic appliances

and/or to the use of computers or other automatic means for calculating final or intermediate

tooth positions for orthodontic treatment.

Applicant believes that <u>no fee is required</u> for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the

undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit

any overpayment to, the above-noted Deposit Account.

Respectfully submitted.

James M. Heslin Reg. No. 29,541

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor

San Francisco, California 94111-3834

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JMH:tfw 60297751 v1



## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/799,432	
Filing Date	March 12, 2004	
First Named Inventor	CHISHTI, MUHAMMAD	
Art Unit	Unassigned	
Examiner Name	Unassigned	
Attorney Docket Number	018563 000550115	

Total Number of Pages i	in This Submission			010000-	00055008		
		ENC	CLOSURES (Check all that a	apply)		·	
Fee Transmittal Form Fee Attached  Amendment/Reply After Final Affidavits/declaration(s)  Extension of Time Request Express Abandonment Request  Supplemental Information Disclosure Statement  Certified Copy of Priority Document(s)  Response to Missing Parts/ Incomplete Application		Rema	Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a  Provisional Application  Power of Attorney, Revocation  Change of Correspondence Addres  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  (Reference Copies)	ss Retu	to Technolo Appeal Cor of Appeals Appeal Cor (Appeal Noti Proprietary Status Lette Other Enclo identify belourn Postcard Authorization	osure(s) (please ow): (IDS Page 2)	
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SEP 1 0 2004 Substitute for form 1449A/PTO

INFORMATION DISCLOSURE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 10

Complete if Known							
Application Number	10/799,432						
Filing Date	March 12, 2004						
First Named Inventor	CHISHTI, MUHAMMAD						
Art Unit	Unassigned						
Examiner Name	Unassigned						
Attorney Docket Number	018563-000550US						

			U.S. PATENT D	OCUMENTS+	
	L	Document Number		No of Potoston on	Paras Calumna Lines Where
Examiner Initials*	Cite No. <sup>1</sup>	Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	AB	3,660,900	05-09-1972	Andrews	
	AC	3,860,803	01-14-1975	Levine	
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	во	5,184,306	02-02-1993	Erdman et al.	
Examiner Signature				Date Considered	

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Substitu	ite for form 1449A/P	го			Complete if Known	
				Application Number	10/799,432	
INF	ORMATION	1 DIS	SCLOSURE	Filing Date	March 12, 2004	
STA	TEMENT E	3Y A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD	
				Art Unit	Unassigned	
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Sheet	2	of	10	Attorney Docket Number	018563-000550US	

			U.S. PATENT D	OCUMENTS+		
Examiner Initials*	Cite No. 1 Number Kind Code <sup>2</sup> (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
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	CA	5,440,496	08-08-1995	Andersson et al.		
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	•			<b>FOREIGN PA</b>	TENT DOCUME	ENTS	•	
Examiner	Cite	For	eign Patent Doo	cument	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Initials*	No.1	- 1		Kind Code <sup>8</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	
	СТ	EP	091,876	A1	10-19-1983	Duret		
	CU	EP	299,490	A2	01-18-1989	Steinbichler et al.		
	CV	EP	376,873	A2	07-04-1990	Shafir	•	
	cw	EP	490,848	B1 .	06-17-1992	Andersson et al.	•	TΕ
	СХ	EP	541,500	A1	06-12-1998	Andersson et al.		

Examiner Signature	Date Considered	

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Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 
For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 
Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 
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Substitu	ite for form 1449A/P	то		Complete if Known			
				Application Number	10/799,432		
INF	ORMATION	A DI	SCLOSURE	Filing Date	March 12, 2004		
STA	TEMENT E	BY A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD		
				Art Unit	Unassigned		
(use as many sheets as necessary)				Examiner Name	Unassigned		
Sheet	3	of	10	Attorney Docket Number	018563-000550US		

-	FOREIGN PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	For	Foreign Patent Document  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>4</sup> (# known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T°		
	CY	EP :	731,673	B1	09-18-1998	Andersson et al.				
	CZ	EP	774,933	B1	05-28-1997	Oden et al.				
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-	DF	wo	98/44,865	A1	10-15-1998	Andersson				
	DG	wo	98/58,596	A1	12-30-1998	Chishti et al.				

Examiner Signature	Date Considered	

Substitute	for form 1449	в/РТО		Complete if Known		
	DAG À TIA	NI DIO	01 001105	Application Number	10/799,432	
			CLOSURE	Filing Date	March 12, 2004	
STAT	rement	T BY A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD	
				Art Unit	Unassigned	
(	use as man	y sheets as	necessary)	Examiner Name	Unassigned	
Sheet	4	of	10	Attorney Docket Number	018563-000550US	

	0:1-	NON PATENT LITERATURE DOCUMENTS  Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item	1
Examiner nitials *	Cite No. <sup>1</sup>	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Т
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Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.

Substitute	Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary) Sheet 5 of 10		Complete if Known		
	D111T	0N DIO	01 001105	Application Number	10/799,432
	ATEMENT BY APPLICANT	•	Filing Date	March 12, 2004	
STAT	EMEN.	I'BY A	PPLICANT	First Named Inventor	CHISHTI, MUHAMMAD
				Art Unit	Unassigned
(	use as man	y sheets as	necessary)	Examiner Name	Unassigned
Sheet	5	of	10	Attorney Docket Number	018563-000550US

4		NON PATENT LITERAT						
Examiner Initials *	Cite No.1	publisher, city and/or country where published.						
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	EH	CRAWFORD, "CAD/CAM in the Dental Office (Feb. 1991), pp. 121-123.	: Does It Work?" (	Canadian Dental Journal, Vol. 57, No. 2				
	EI	CROOKS, "CAD/CAM Comes to USC," USC	Dentistry, (Spring	1990) pp. 14-17.				
	. El	CURETON, "Correcting malaligned mandibular incisors with removable retainers" J. Clin. Orthod., 30:390-395, 1996.						
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	ЕМ	DCS Dental AG, "The CAD/CAM 'DCS Titan System' for Production of Crowns/Bridges" DSC Production AG, Jan. 1992, pp. 1-7.						
Examiner Signature			Date Considered					

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute	DRMATION DISCLOSURE TEMENT BY APPLICANT			Complete if Known	
	(use as many sheets as necessary)	Application Number	10/799,432		
	<del>-</del>			Filing Date	March 12, 2004
STAT	STATEMENT BY APPLICANT		First Named Inventor	CHISHTI, MUHAMMAD	
			•	Art Unit	Unassigned
. (	(use as many sheets as necessary)			Examiner Name	Unassigned
Sheet	6	of	10	Attorney Docket Number	018563-000550US

•		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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	EO	Dental Institute University of Zurich Switzerland, Program for International Symposium on Computer Restorations: State of the Art of the CEREC-Method, May 1991, 3 pages total.	
	EP	DenTrac Corporation, Dentrac document, pp. 4-13.	
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	ET	DURET, "Vers une prosthese informatisee," (English translation also attached), <i>Tonus</i> , vol. 75, (Nov. 15, 1985), pp. 55-57.	
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	EV	ELSASSER, "Some observations on the history and uses of the Kesling positioner" Am. J. Orthod., 36:368-374, 1950.	
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Examiner	Date	
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INFO	CORMATION DISCLOSURE ATEMENT BY APPLICANT  (use as many sheets as necessary)  t 7 of 10	CLOCUDE	Application Number	10/799,432	
_				Filing Date	March 12, 2004
STAT	STATEMENT BY APPLICANT			First Named Inventor	CHISHTI, MUHAMMAD
				Art Unit	Unassigned
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Sheet	7	of	10	Attorney Docket Number	018563-000550US

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2
	FD	HOFFMANN et al., "Role of Cephalometry for Planning of Jaw Orthopedics and Jaw Surgery Procedures," (Article Summary in English, article in German), <i>Informationen</i> , (March 1991), pp. 375-396.	
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	FS	LEINFELDER et al., "A new method for generating ceramic restorations: a CAD-CAM system," Journal Of The American Dental Assoc., Vol. 118, No. 6 (Jun. 1989), pp. 703-707.	

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